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SENATE BILL No. 199

Proposed Changes to introduced printing by AM019901

DIGEST OF PROPOSED AMENDMENT

Degree programs. Provides that a state educational institution that has been denied approval to continue a degree program may: (1) permit students to enroll in the degree program until June 1 of the year following the denial; and (2) provide students enrolled in the degree program with the opportunity to finish their degree prior to the degree program's closure. Requires the commission for higher education to submit an annual report concerning degree program closures to the general assembly.

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-26-14-6, AS AMENDED BY P.L.43-2021,
2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 6. (a) The association must establish a case review
4 panel that meets the following requirements:
5 (1) The panel has nine (9) members.
6 (2) The secretary of education or the secretary's designee is a
7 member of the panel and is the chairperson of the panel.
8 (3) The secretary of education appoints as members of the panel
9 persons having the following qualifications:
10 (A) Four (4) parents of high school students.
11 ~~(B) Two (2) high school principals.~~
12 ~~(C) Two (2) high school athletic directors.~~
13 **(B) Four (4) school administrators.**
14 (4) The secretary of education shall administer the functions of
15 the panel.
16 (5) A member of the panel serves for a four (4) year term,
17 subject to the following:

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- 1 (A) An appointee who ceases to meet the member's
 2 qualification under subdivision (3) ceases to be a member
 3 of the panel.
- 4 (B) The secretary of education shall appoint fifty percent
 5 (50%) of the initial appointees under each clause in
 6 subdivision (3) for terms of two (2) years, so that terms of
 7 the panel are staggered.
- 8 (6) The panel must meet monthly, unless there are no cases
 9 before the panel. The panel may meet more frequently at the call
 10 of the chairperson. However, the chairperson must call a meeting
 11 within five (5) business days, or as soon thereafter as a quorum
 12 can be assembled, after the panel receives a case in which time
 13 is a factor in relation to the scheduling of an athletic competition.
- 14 (7) A quorum of the panel is five (5) members. The affirmative
 15 vote of the greater of the majority present or four (4) members of
 16 the panel is required for the panel to take action.
- 17 (b) A student's parent who disagrees with a decision of the
 18 association concerning the application or interpretation of a rule of the
 19 association to the student shall have the right to do one (1) of the
 20 following:
- 21 (1) Accept the decision.
- 22 (2) Refer the case to the panel. The parent must refer the case to
 23 the panel not later than thirty (30) days after the date of the
 24 association's decision.
- 25 (c) After a case is referred under subsection (b)(2), the panel must
 26 do the following:
- 27 (1) Collect testimony and information on the case, including
 28 testimony and information from both the association and the
 29 parent.
- 30 (2) Place the case on the panel's agenda and consider the case at
 31 a meeting of the panel.
- 32 (3) Not later than ten (10) business days after the meeting at
 33 which the panel considers the case, issue a written decision that
 34 does one (1) of the following:
- 35 (A) Upholds the association's decision on the case.
- 36 (B) Modifies the association's decision on the case.
- 37 (C) Nullifies the association's decision on the case.
- 38 (d) Subject to section 7 of this chapter, the association must
 39 implement the decision of the panel on each case. However, a decision
 40 of the panel:
- 41 (1) applies only to the case before the panel; and
- 42 (2) does not affect any rule of the association or decision under



any rule concerning any student other than the student whose parent referred the case to the panel.

(e) The association shall pay all costs attributable to the operation of the panel, including travel and a stipend of at least fifty dollars (\$50) for each meeting for panel members.

SECTION 2. IC 20-28-3-1, AS AMENDED BY P.L.190-2025, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) As used in this section, "teacher candidate" means an individual recommended for an initial teaching license from a teacher preparation program located in Indiana.

(b) As used in this section, "teacher preparation program" includes, but is not limited to, the following:

- (1) A teacher education school or department.
- (2) A transition to teaching program under IC 20-28-4.
- (3) Any other entity approved by the department to offer a course of study leading to an initial teaching license.

(c) The department shall:

- (1) arrange a statewide system of professional instruction for teacher education;
- (2) accredit and review teacher preparation programs that comply with the rules of the department;
- (3) approve content area licensure programs for particular kinds of teachers in accredited teacher preparation programs; and
- (4) specify the types of licenses for individuals who complete programs of approved courses.

(d) The department shall work with teacher preparation programs to develop a system of teacher education that ensures individuals who complete teacher preparation programs are able to meet the highest professional standards.

(e) Before July 1, 2015, the department shall establish standards for the continuous improvement of program processes and the performance of individuals who complete teacher preparation programs. The state board shall adopt rules containing the standards not later than two hundred seventy (270) days after the department finishes the standards.

(f) The standards established under subsection (e) must include benchmarks for performance, including test score data for each teacher preparation entity on content area licensure tests and test score data for each teacher preparation entity on pedagogy licensure tests.

(g) Each teacher preparation program shall annually report the program's performance on the standards and benchmarks established under this section to the department. The department shall make the



information reported under this subsection available to the public on the department's website. Each teacher preparation program shall make the information reported under this subsection available to the public on the teacher preparation program's website. In addition to reporting performance, each teacher preparation program must report to the department the following:

(1) The attrition, retention, and completion rates of teacher candidates for the previous three (3) calendar years. The teacher preparation program must also provide underlying data, as determined by the department, used as part of calculating the teacher preparation program's retention rates.

(2) The number of teacher candidates in each content area who complete the teacher preparation program during the year, disaggregated by ranges of cumulative grade point averages.

(3) The number of teacher candidates in each content area who, during the year:

(A) do not pass a content area licensure examination; and

(B) do not retake the content area licensure examination.

(h) In making information available to the public on the department's website, the department shall include in the report under subsection (g), in addition to the matrix ratings described in subsection (i), the following information:

(1) Average scaled or standard scores of teacher candidates who complete teacher preparation programs on basic skills, content area, and pedagogy licensure examinations.

(2) The average number of times teacher candidates who complete a teacher preparation program take each licensing test before receiving a passing score and the percentage of teacher candidates who receive a passing score on each licensing test on the teacher candidates' first attempts.

(i) Not later than July 30, 2016, the department and the commission for higher education, in conjunction with the state board, the Independent Colleges of Indiana, Inc., and teacher preparation programs, shall establish a matrix rating system for teacher preparation programs based on the performance of the programs as demonstrated by the data collected under subsections (g) and (h). The matrix rating system must be based on data collected for teachers who initially receive their teaching license during the previous three (3) years. The department shall make the matrix ratings available to the public on the department's website.

(j) Each teacher preparation program shall report to the department, in a manner prescribed by the department, the teacher



preparation program's admission practices, in accordance with:

(1) the Council for the Accreditation of Educator Preparation standards, for teacher preparation programs accredited by the Council for the Accreditation of Educator Preparation;

(2) rigorous academic entry requirements for admission into a teacher preparatory program that are equivalent to the minimum academic requirements determined by the Council for the Accreditation of Educator Preparation, for teacher preparation programs that are not accredited by the Council for the Accreditation of Educator Preparation; ~~or~~

(3) the Association for Advancing Quality in Educator Preparation standards, for teacher preparation programs accredited by the Association for Advancing Quality in Educator Preparation; **or**

(4) the department's admission standards for teacher preparation programs accredited by the department.

The department shall include information reported to the department on the department's website.

(k) Not later than July 30, 2016, the department and the commission for higher education, in conjunction with the state board, the Independent Colleges of Indiana, Inc., and teacher preparation programs, shall establish a minimum rating under the matrix rating system established under subsection (i) that teacher preparation programs must achieve to avoid referral under subsection (l).

(l) Not later than July 1 of each year, the department shall submit a list of teacher preparation programs that do not meet the minimum rating established under subsection (k) or the requirements of section 3.1 or 3.2 of this chapter to the commission for higher education and the Independent Colleges of Indiana, Inc. for one (1) of the following actions:

(1) In the case of a state educational institution, the commission for higher education shall place the teacher preparation program on an improvement plan with clear performance goals and a designated period in which the performance goals must be achieved.

(2) In the case of a proprietary postsecondary educational institution, the commission for higher education shall recommend to the teacher preparation program an improvement plan with clear performance goals and a designated period in which the performance goals should be achieved.

(3) In the case of a nonprofit college or university, the Independent Colleges of Indiana, Inc., shall coordinate a peer



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review process to make recommendations to the peer institution in achieving the department's performance metrics.

- (m) The department shall approve at least two (2) accreditors that:
- (1) accredit teacher preparation programs; and
 - (2) are recognized by the Council for Higher Education Accreditation;

to accredit teacher preparation programs for use in Indiana. **The department may also serve as an accreditor in addition to the two (2) accreditors approved under this subsection.**

(n) Not later than December 31, 2024, the department and the commission for higher education, in conjunction with the state board, shall partner with teacher preparation programs to receive an outside evaluation by a nationally recognized nonprofit, nonpartisan organization that leverages evidence based approaches on the science of reading to evaluate teacher preparation reading instruction programs.

SECTION 3. IC 20-28-10-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 20. (a) As used in this section, "stillbirth" means a birth after twenty (20) weeks of gestation that is not a live birth.**

(b) Not later than December 1, 2026, the secretary of education shall do the following:

- (1) Identify school corporations that provide employees paid leave upon any of the following events:**

- (A) The birth of an employee's child.**
- (B) The birth of a child to an employee's spouse.**
- (C) The placement of a child for adoption with an employee.**
- (D) The stillbirth of an employee's child.**

- (2) Identify the length of paid leave school corporations provide for each event under subdivision (1).**

- (3) Make recommendations concerning paid leave for employees for each event under subdivision (1).**

- (4) Submit the findings and recommendations under this subsection to the general assembly in an electronic format under IC 5-14-6.**

- (c) This section expires July 1, 2027.**

SECTION 4. IC 20-30-5-7.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.4. (a) Not later than December 1, 2026, the secretary of education shall do the following:**

- (1) Identify key metrics and activities to be used to measure**



civic literacy and engagement in kindergarten through grade 12 and postsecondary education.

(2) Submit the metrics identified under subdivision (1) to the general assembly in an electronic format under IC 5-14-6.

(b) This section expires July 1, 2027.

SECTION 5. IC 20-32-8.5-2, AS AMENDED BY P.L.186-2025, SECTION 291, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in subsection (b), the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) A method for making determinant evaluations by grade 3 that remedial action is required for a student, including:

(A) except as provided in subsections (c) and (g), beginning with evaluations administered during the 2024-2025 school year, retention of the student in grade 3 if the student has not achieved a passing score on the determinant evaluation of reading skills approved by the state board after the student has had an opportunity to retake the determinant evaluation at least twice in the summer; and

(B) the use of curricular materials and supplemental materials aligned to the science of reading that are designed to address deficiencies in reading;

after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan.

(3) A requirement that schools notify a student's parent of the following:

(A) The student's assessment results regarding skill level in:

(i) phonemic awareness;

(ii) phonics;

(iii) fluency;

(iv) vocabulary; and

(v) comprehension.

(B) The student's assessment results on the determinant evaluation of reading skills approved by the state board.

(C) Any intervention provided to the student or any remedial action taken.

(4) A requirement that schools monitor the progress of students who failed to achieve a valid passing score on the:

(A) determinant evaluation of reading skills approved by the state board; or



- 1 (B) statewide assessment program test.
- 2 (5) A requirement that schools provide reading instruction that
- 3 includes a core reading program aligned with the science of
- 4 reading to all students in kindergarten through grade 8.
- 5 (6) A requirement for the administration of the determinant
- 6 evaluation of reading skills approved by the state board to
- 7 students in grade 2.
- 8 (7) A requirement that all students take the determinant
- 9 evaluation of reading skills approved by the state board until the
- 10 student:
- 11 (A) receives a passing score, regardless of the student's
- 12 grade level; or
- 13 (B) enters grade 7.
- 14 (8) A requirement that a school report the following to the
- 15 department:
- 16 (A) The literacy interventions that will be used for students
- 17 in grade 2 who are at risk of not being reading proficient
- 18 and students in grade 3 who do not achieve a valid passing
- 19 score on the determinant evaluation of reading skills
- 20 approved by the state board.
- 21 (B) The literacy interventions in use before the adoption of
- 22 the plan for students in grade 2 who are at risk of not being
- 23 reading proficient and students in grade 3 who do not
- 24 achieve a valid passing score on the determinant evaluation
- 25 of reading skills approved by the state board.
- 26 (C) The literacy interventions in use before the adoption of
- 27 the plan for students who do not achieve a valid passing
- 28 score on the determinant evaluation of reading skills
- 29 approved by the state board.
- 30 (D) The number of students being served by the
- 31 interventions described in clauses (B) and (C).
- 32 (E) The cost of providing the interventions described in
- 33 clauses (B) and (C).
- 34 (F) Any other information requested by the department.
- 35 (9) Requirements for a school in which, **over the course of**
- 36 **three (3) consecutive years**, fewer than ~~seventy~~ **an average of**
- 37 **seventy-five percent (70%) (75%)** of students of the school
- 38 achieved a valid passing score on the determinant evaluation of
- 39 reading skills approved by the state board that must include the
- 40 following:
- 41 (A) Use of curriculum that is:
- 42 (i) based on the science of reading;



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- 1 (ii) age appropriate; and
- 2 (iii) approved by the department.
- 3 (B) Employment of the following:
 - 4 (i) Before July 1, 2025, an instructional coach who is
 - 5 trained in the science of reading, as determined by the
 - 6 department. This item expires January 1, 2026.
 - 7 (ii) After June 30, 2025, an instructional coach with a
 - 8 literacy related endorsement who is trained in the
 - 9 science of reading.
- 10 (C) Use of only benchmark, formative, interim, or similar
- 11 assessments that:
 - 12 (i) show alignment with Indiana's academic standards;
 - 13 and
 - 14 (ii) are approved by the department.
- 15 (D) Use of a screener procured under IC 20-32-5.1-17(j).
- 16 (10) The fiscal impact of each component of the plan, if any. In
- 17 determining whether a component has a fiscal impact,
- 18 consideration shall be given to whether the component will
- 19 increase costs to the state or a school corporation or require the
- 20 state or school corporation to reallocate resources.
- 21 (b) A school may receive a waiver of the requirements provided
- 22 in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative
- 23 reading plan provided by the school.
- 24 (c) Except as approved by the department under subsection (g), a
- 25 student who would otherwise be subject to retention in grade 3 under
- 26 the plan is not subject to the retention requirement only if the student
- 27 meets one (1) of the following criteria:
 - 28 (1) The student was subject to retention and has been retained in
 - 29 grade 3 for one (1) school year.
 - 30 (2) The student has an intellectual disability or the student's
 - 31 individualized education program specifies that retention is not
 - 32 appropriate, and the student's case conference committee has
 - 33 determined that promotion to another grade is appropriate.
 - 34 (3) The student is an English learner who has received services
 - 35 for fewer than two (2) years and a committee consisting of:
 - 36 (A) the student's parent;
 - 37 (B) a building level administrator or designee;
 - 38 (C) a classroom teacher of service;
 - 39 (D) an English learner teacher of record, if one exists; and
 - 40 (E) an English learner district administrator, if one exists;
 - 41 determines that promotion is appropriate based on the
 - 42 implementation of research based instructional practices outlined



in the student's individual learning plan.

(4) The student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment.

(5) The student:

(A) has received intensive intervention as determined by the department in reading for two (2) or more years; and

(B) was retained more than one (1) time throughout kindergarten, grade 1, or grade 2.

(d) A student who is not subject to the retention requirement as provided under subsection (c) must be provided with additional reading instruction that is aligned with the science of reading until the student achieves a passing score on the determinant evaluation of reading skills approved by the state board.

(e) Before October 1 of each school year, the department shall:

(1) identify each incoming student (as defined in section 0.7 of this chapter) enrolled in kindergarten in a school in Indiana; and

(2) notify the parent or guardian of the student of the retention requirement under this chapter for grade 3 students who do not achieve a passing score on the Indiana reading evaluation and determination (IRead3).

(f) The department shall establish a standard reporting process and reporting window for schools to report students who qualify for an exemption under subsection (c).

(g) The department shall establish a registration process for schools to exempt an English language learner who:

(1) does not achieve a passing score on the determinant evaluation of reading skills approved by the state board; and

(2) attends a school that has a student population comprised of at least fifty percent (50%) of English language learners in grade 3, as determined by the department;

from compliance with the requirements under subsection (a)(2)(A) until the beginning of the 2027-2028 school year. This subsection expires July 1, 2028.

SECTION 6. IC 20-51.4-3-7.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.1. (a) For each school year, the department shall determine, based on the amount of funds available for the program, the number of grants that the department will award under the ESA program and CSA program. The number of applications approved and the number of grants awarded under this article by the department for the school year may not exceed the number determined by the department under**



1 this section.

2 (b) The department may not deduct more than five percent
3 (5%) of the funds made available for the ESA program to cover
4 costs of managing ESA accounts and administering the ESA
5 program. Any amount deducted under this subsection shall be
6 deposited in the Indiana education scholarship account
7 administration fund established by IC 20-51.4-4-3.5.

8 (c) The department may not deduct more than five percent
9 (5%) of the funds made available for the CSA program to cover
10 costs of managing CSA accounts and administering the CSA
11 program. Any amount deducted under this subsection shall be
12 deposited in the career scholarship account administration fund
13 established by IC 20-51.4-4.5-5.

14 SECTION 7. IC 21-18-6-10 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) Not later than December
17 1, 2026, the commission shall do the following:

18 (1) Evaluate accrediting agencies or associations that
19 currently accredit state educational institutions.

20 (2) Identify and evaluate innovative accrediting agencies or
21 associations, including those not yet recognized by the United
22 States Department of Education, that do not currently
23 accredit state educational institutions.

24 (3) Provide a report in an electronic format under IC 5-14-6
25 to the general assembly that includes:

26 (A) the commission's findings under subdivisions (1) and
27 (2); and

28 (B) recommendations concerning accrediting agencies
29 or associations identified in subdivision (2) that may be
30 best suited to serve as an accreditor for state educational
31 institutions.

32 (b) This section expires July 1, 2027.

33 SECTION 8. IC 21-18-9-10.7, AS ADDED BY P.L.213-2025,
34 SECTION 248, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2026]: Sec. 10.7. (a) For each state educational
36 institution degree program, if: ~~the~~:

37 (1) ~~the~~:

38 (A) average number of students who graduate over the
39 immediately preceding three (3) years is fewer than:

40 ~~(A)~~ (i) ten (10) students for a particular associate
41 degree program;

42 ~~(B)~~ (ii) fifteen (15) students for a particular bachelor's



degree program;

~~(C)~~ (iii) seven (7) students for a particular master's degree program;

~~(D)~~ (iv) three (3) students for a particular education specialist program; or

~~(E)~~ (v) three (3) students for a particular doctorate degree program; ~~and or~~

(B) degree program meets the definition of a low earning outcome program under the Higher Education Act (20 U.S.C. 1087d); and

(2) ~~the~~ state educational institution would like to continue a degree program described in subdivision (1);

the state educational institution must request approval from the commission to continue the degree program.

(b) ~~↔~~ [Subject to subsection (c), i]f the commission does not grant approval under subsection (a), the state educational institution must eliminate:[]

[](1) the degree program; and[]

[](2) any costs associated with the degree program.

[(c) A state educational institution that has been denied approval under subsection (a) may:

(1) permit students to enroll in the degree program until June 1 of the year following the commission's denial; and

(2) provide students enrolled in the degree program with the opportunity to finish their degree prior to the degree program's closure under subsection (b).

(d) The commission shall prepare an annual report concerning the number of degree programs that were denied approval under subsection (a). The report described in this subsection must be submitted, in an electronic format under IC 5-14-6, to the general assembly not later than December 1 of each year.

[SECTION 9. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic



- 1 communication, by a supplier, are deceptive acts:
- 2 (1) That such subject of a consumer transaction has sponsorship,
- 3 approval, performance, characteristics, accessories, uses, or
- 4 benefits it does not have which the supplier knows or should
- 5 reasonably know it does not have.
- 6 (2) That such subject of a consumer transaction is of a particular
- 7 standard, quality, grade, style, or model, if it is not and if the
- 8 supplier knows or should reasonably know that it is not.
- 9 (3) That such subject of a consumer transaction is new or
- 10 unused, if it is not and if the supplier knows or should reasonably
- 11 know that it is not.
- 12 (4) That such subject of a consumer transaction will be supplied
- 13 to the public in greater quantity than the supplier intends or
- 14 reasonably expects.
- 15 (5) That replacement or repair constituting the subject of a
- 16 consumer transaction is needed, if it is not and if the supplier
- 17 knows or should reasonably know that it is not.
- 18 (6) That a specific price advantage exists as to such subject of a
- 19 consumer transaction, if it does not and if the supplier knows or
- 20 should reasonably know that it does not.
- 21 (7) That the supplier has a sponsorship, approval, or affiliation
- 22 in such consumer transaction the supplier does not have, and
- 23 which the supplier knows or should reasonably know that the
- 24 supplier does not have.
- 25 (8) That such consumer transaction involves or does not involve
- 26 a warranty, a disclaimer of warranties, or other rights, remedies,
- 27 or obligations, if the representation is false and if the supplier
- 28 knows or should reasonably know that the representation is false.
- 29 (9) That the consumer will receive a rebate, discount, or other
- 30 benefit as an inducement for entering into a sale or lease in
- 31 return for giving the supplier the names of prospective
- 32 consumers or otherwise helping the supplier to enter into other
- 33 consumer transactions, if earning the benefit, rebate, or discount
- 34 is contingent upon the occurrence of an event subsequent to the
- 35 time the consumer agrees to the purchase or lease.
- 36 (10) That the supplier is able to deliver or complete the subject
- 37 of the consumer transaction within a stated period of time, when
- 38 the supplier knows or should reasonably know the supplier could
- 39 not. If no time period has been stated by the supplier, there is a
- 40 presumption that the supplier has represented that the supplier
- 41 will deliver or complete the subject of the consumer transaction
- 42 within a reasonable time, according to the course of dealing or



the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:

(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business



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- 1 location that is outside the calling area covered by the local
- 2 telephone directory; and
- 3 (D) the supplier's business location is located in a county
- 4 that is not contiguous to a county in the calling area covered
- 5 by the local telephone directory.
- 6 (16) The act of listing an alternate business name or assumed
- 7 business name (as described in IC 23-0.5-3-4) in a directory
- 8 assistance data base if:
- 9 (A) the name misrepresents the supplier's geographic
- 10 location;
- 11 (B) calls to the local telephone number are routinely
- 12 forwarded or otherwise transferred to a supplier's business
- 13 location that is outside the local calling area; and
- 14 (C) the supplier's business location is located in a county
- 15 that is not contiguous to a county in the local calling area.
- 16 (17) The violation by a supplier of IC 24-3-4 concerning
- 17 cigarettes for import or export.
- 18 (18) The act of a supplier in knowingly selling or reselling a
- 19 product to a consumer if the product has been recalled, whether
- 20 by the order of a court or a regulatory body, or voluntarily by the
- 21 manufacturer, distributor, or retailer, unless the product has been
- 22 repaired or modified to correct the defect that was the subject of
- 23 the recall.
- 24 (19) The violation by a supplier of 47 U.S.C. 227, including any
- 25 rules or regulations issued under 47 U.S.C. 227.
- 26 (20) The violation by a supplier of the federal Fair Debt
- 27 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
- 28 rules or regulations issued under the federal Fair Debt Collection
- 29 Practices Act (15 U.S.C. 1692 et seq.).
- 30 (21) A violation of IC 24-5-7 (concerning health spa services),
- 31 as set forth in IC 24-5-7-17.
- 32 (22) A violation of IC 24-5-8 (concerning business opportunity
- 33 transactions), as set forth in IC 24-5-8-20.
- 34 (23) A violation of IC 24-5-10 (concerning home consumer
- 35 transactions), as set forth in IC 24-5-10-18.
- 36 (24) A violation of IC 24-5-11 (concerning real property
- 37 improvement contracts), as set forth in IC 24-5-11-14.
- 38 (25) A violation of IC 24-5-12 (concerning telephone
- 39 solicitations), as set forth in IC 24-5-12-23.
- 40 (26) A violation of IC 24-5-13.5 (concerning buyback motor
- 41 vehicles), as set forth in IC 24-5-13.5-14.
- 42 (27) A violation of IC 24-5-14 (concerning automatic

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dialing-announcing devices), as set forth in IC 24-5-14-13.

(28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

(40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

(42) A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

(43) A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.

(44) A violation of IC 24-16-2 (concerning social media providers), as set forth in IC 24-16-2-3.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials,



1 and such other suppliers who shall state orally or in writing that such
 2 representation is true if such other supplier shall know or have reason
 3 to know that such representation was false.

4 (d) If a supplier shows by a preponderance of the evidence that an
 5 act resulted from a bona fide error notwithstanding the maintenance of
 6 procedures reasonably adopted to avoid the error, such act shall not be
 7 deceptive within the meaning of this chapter.

8 (e) It shall be a defense to any action brought under this chapter
 9 that the representation constituting an alleged deceptive act was one
 10 made in good faith by the supplier without knowledge of its falsity and
 11 in reliance upon the oral or written representations of the manufacturer,
 12 the person from whom the supplier acquired the product, any testing
 13 organization, or any other person provided that the source thereof is
 14 disclosed to the consumer.

15 (f) For purposes of subsection (b)(12), a supplier that provides
 16 estimates before performing repair or replacement work for a customer
 17 shall give the customer a written estimate itemizing as closely as
 18 possible the price for labor and parts necessary for the specific job
 19 before commencing the work.

20 (g) For purposes of subsection (b)(15) and (b)(16), a telephone
 21 company or other provider of a telephone directory or directory
 22 assistance service or its officer or agent is immune from liability for
 23 publishing the listing of an alternate business name or assumed
 24 business name of a supplier in its directory or directory assistance data
 25 base unless the telephone company or other provider of a telephone
 26 directory or directory assistance service is the same person as the
 27 supplier who has committed the deceptive act.

28 (h) For purposes of subsection (b)(18), it is an affirmative defense
 29 to any action brought under this chapter that the product has been
 30 altered by a person other than the defendant to render the product
 31 completely incapable of serving its original purpose.

32 SECTION 10. IC 24-16 IS ADDED TO THE INDIANA CODE
 33 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY
 34 1, 2026]:

35 **ARTICLE 16. SOCIAL MEDIA PROVIDERS**

36 **Chapter 1. Definitions**

37 **Sec. 1. The definitions in this chapter apply throughout this**
 38 **article.**

39 **Sec. 2. "Adolescent" means an individual who is at least**
 40 **fourteen (14) years of age but less than eighteen (18) years of age.**

41 **Sec. 3. "Child" means an individual who is less than fourteen**
 42 **(14) years of age.**



1 **Sec. 4. "Daily active users"** means the unique users in the
 2 United States who used a particular online forum, website, or
 3 application at least eighty percent (80%) of the days during the
 4 previous twelve (12) months, or, if the online forum, website, or
 5 application did not exist during the previous twelve (12) months,
 6 the unique users in the United States who used the online forum,
 7 website, or application at least eighty percent (80%) of the days
 8 during the previous month.

9 **Sec. 5. "Linked account"**, with respect to an individual's
 10 account with a social media service, means another account with
 11 the social media service that the individual has designated, through
 12 a means provided by the social media service, as an account:

- 13 (1) from which the individual wishes to receive content;
- 14 (2) from which the individual wishes the social media service
- 15 to include in recommendations for content provided to the
- 16 user by the social media service; or
- 17 (3) with which the individual wishes to associate the
- 18 individual's account.

19 **Sec. 6. "Mobile credential"** has the meaning set forth in
 20 IC 9-13-2-103.4.

21 **Sec. 7. "Reasonable age verification method"** means a method
 22 of determining that an individual seeking to access a website is not
 23 a child or an adolescent by using one (1) or more of the following
 24 methods:

- 25 (1) A mobile credential.
- 26 (2) An independent third party age verification service that
- 27 compares the identifying information entered by the
- 28 individual with material that is available from a
- 29 commercially available data base, or an aggregate of data
- 30 bases, that is regularly used by government agencies and
- 31 businesses for the purpose of age and identity verification.
- 32 (3) Any commercially reasonable method that relies on
- 33 public or private transactional data to verify the age of the
- 34 individual.

35 **Sec. 8. (a) "Social media"** means an online forum, website, or
 36 application that satisfies the following criteria:

- 37 (1) Allows users to upload content or view the content or
- 38 activity of other users.
- 39 (2) Has a user base in which ten percent (10%) or more of
- 40 the daily active users who are sixteen (16) years of age or
- 41 younger spent an average of two (2) hours per day or longer
- 42 on the online forum, website, or application when using the



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online forum, website, or application during the previous twelve (12) months or, if the online forum, website, or application did not exist during the previous twelve (12) months, during the previous month.

(3) Employs algorithms that analyze user data or information on users to select content for users.

(4) Has any of the following addictive features:

(A) Continuously loading content, or content that loads as the user scrolls down the page without the need to open a separate page.

(B) Seamless content, or the use of pages with no visible or apparent end or page breaks.

(C) Display of personal interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted the content.

(D) Autoplay video or video that begins to play without the user first clicking on the video or on a play button for the video.

(E) Live streaming or a function that allows a user or advertiser to broadcast live video content in real time.

(b) The term does not include an online service, website, or application where the exclusive function provides registered users of the service only with the ability to send and receive electronic mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients, without displaying or posting the material publicly or to others not identified as the recipient by the sender.

Sec. 9. "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records that relate to a mortgage, education, or employment.

Chapter 2. Adolescent and Child Use of Social Media

Sec. 1. (a) A social media service that receives a request from an Indiana resident for creation of an account with the social media service shall comply with the following:

(1) The social media service shall use a reasonable age verification method to determine the age of the individual requesting creation of the account.

(2) If the social media service determines under subdivision

(1) that the individual requesting creation of the account is:



(A) an adolescent, the social media service may create the account only if the social media service receives written consent to creation of the account from the adolescent's parent or guardian; or

(B) a child, the social media service may not create the account.

(b) A social media service shall comply with the following:

(1) The social media service shall use a reasonable age verification method to determine the age of an Indiana resident who holds an account with the social media service that was created before July 1, 2026.

(2) If the social media service determines under subdivision (1) that an Indiana resident who holds an account described in subdivision (1) is an adolescent or a child, the social media service shall do the following:

(A) For an adolescent, the social media service:

(i) shall provide notice to the adolescent that the adolescent's access to the account will be suspended fourteen (14) days after the date of the notice unless the social media service receives written consent to the adolescent's use of the social media service from the adolescent's parent or guardian;

(ii) shall suspend the adolescent's access to the account fourteen (14) days after the date of the notice under item (i) if the social media service does not receive written consent to the adolescent's use of the social media service from the adolescent's parent or guardian not later than fourteen (14) days after the date of the notice under item (i); and

(iii) if the social media service suspends the adolescent's access to the account under item (ii), shall restore the adolescent's access to the account only upon receipt by the social media service of written consent to the adolescent's use of the social media service from the adolescent's parent or guardian.

(B) For a child, the social media service shall suspend the child's access to the account within twenty-four (24) hours.

Sec. 2. (a) A social media service shall configure the account of a registered user that the social media service knows, or reasonably should know, is an:



1 (1) adolescent; and
 2 (2) Indiana resident;
 3 as described in subsection (b).

4 (b) A social media service shall configure the account of a
 5 registered user described in subsection (a) as follows:

6 (1) The social media service may allow the account to receive
 7 direct communications only from an account that the user
 8 has designated as a linked account.

9 (2) The social media service may not allow the account to
 10 appear in the results of a search conducted by a person
 11 through the social media service's search utility unless the
 12 person holds an account that the user has designated as a
 13 linked account.

14 (3) The social media service may not disseminate:

15 (A) content;

16 (B) recommendations for content; or

17 (C) advertising;

18 based on patterns of the adolescent's use of the social media
 19 service.

20 (4) Subject to subsection (d)(3)(B), the social media service
 21 shall prohibit the adolescent from accessing the account
 22 during the period beginning at 10:30 p.m., and ending at 6
 23 a.m.

24 (c) A social media service may not allow an adolescent to
 25 change or bypass an account configuration described in subsection
 26 (b).

27 (d) A social media service that knows, or reasonably should
 28 know, that a registered user of the social media service is an
 29 adolescent shall provide the adolescent's parent or guardian with
 30 account access credentials that:

31 (1) are separate from the account access credentials provided
 32 by the social media service to the adolescent;

33 (2) allow the parent or guardian to access the adolescent's
 34 account at any time; and

35 (3) allow the parent or guardian to:

36 (A) view all account activity;

37 (B) modify the account configuration described in
 38 subsection (b); and

39 (C) set a limit on the number of hours per day during
 40 which the adolescent may access the account.

41 (e) Except as necessary for the social media service's
 42 compliance with Indiana or federal law, a social media service may



not:

(1) collect:

(A) directly; or

(B) indirectly through collection of data regarding the use of the social media service;

(2) use; or

(3) disclose;

personal information (as defined in IC 4-1-6-1) of a registered user of the social media service that the social media service knows, or reasonably should know, is an adolescent.

Sec. 3. An owner or operator of a social media service that knowingly and intentionally violates section 1 or 2 of this chapter commits a deceptive act that is actionable by the attorney general under IC 24-5-0.5 and that is subject to the penalties and remedies available to the attorney general under IC 24-5-0.5.

Sec. 4. (a) If the owner or operator of a social media service violates section 1 or 2 of this chapter by:

(1) allowing an individual who is:

(A) a child or an adolescent; and

(B) an Indiana resident;

to create or access an account with the social media service in violation of section 1 of this chapter; or

(2) failing to configure the account of a registered user that the social media service knows, or reasonably should know, is:

(A) an adolescent; and

(B) an Indiana resident;

as required by section 2 of this chapter;

a parent or guardian of the child or adolescent may bring an action against the owner or operator of the social media service for the violation.

(b) A parent or guardian who prevails in an action under this section is entitled to:

(1) either:

(A) actual damages; or

(B) liquidated damages of one thousand dollars (\$1,000);

(2) injunctive relief; and

(3) court costs, reasonable attorney's fees, and other reasonable expenses of litigation, including expert witness fees.

Sec. 5. (a) A social media service that uses or purports to use a reasonable age verification method for purposes of determining



an individual's age under section 1 of this chapter may not:

(1) retain identifying information of the individual, unless retention of the identifying information is required by a court order;

(2) use identifying information of the individual for any purpose other than determination of the individual's age; or

(3) collect information other than information that is reasonably necessary to determine the individual's age.

(b) An individual whose identifying information is retained, used, or collected in violation of this section may bring an action against the person that unlawfully retained, used, or collected the individual's identifying information. An individual who prevails in an action described in this section is entitled to:

(1) either:

(A) actual damages; or

(B) liquidated damages of one thousand dollars (\$1,000);

(2) injunctive relief; and

(3) court costs, reasonable attorney's fees, and other reasonable expenses of litigation, including expert witness fees.

SECTION 11. [EFFECTIVE UPON PASSAGE] (a) 511 IAC 13-1-1(b)(6) is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this provision from the Indiana Administrative Code.

(b) This SECTION expires July 1, 2027.

SECTION 12. An emergency is declared for this act.



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